

§ 430.25

(2) The upper 90 percent confidence limit of the true mean divided by 1.1.

(Energy Policy and Conservation Act, Pub. L. 94-163, as amended by Pub. L. 95-619; Department of Energy Organization Act, Pub. L. 95-91)

[44 FR 22416, Apr. 13, 1979, as amended at 44 FR 39153, July 5, 1979; 44 FR 76706, Dec. 27, 1979; 45 FR 53719, Aug. 12, 1980; 53 FR 8312, Mar. 14, 1988; 54 FR 6075, Feb. 7, 1989; 56 FR 18682, April 24, 1991. Redesignated and amended at 59 FR 49474, 49475, Sept. 28, 1994; 62 FR 29239, May 29, 1997; 63 FR 13316, Mar. 18, 1998]

§ 430.25 Laboratory Accreditation Program.

The testing for general service fluorescent lamps, general service incandescent lamps, incandescent reflector lamps, and medium base compact fluorescent lamps, shall be performed in accordance with Appendix R to this subpart and shall be conducted by test laboratories accredited by the National Voluntary Laboratory Accreditation Program (NVLAP) or by an accrediting organization recognized by NVLAP. NVLAP is a program of the National Institute of Standards and Technology, U. S. Department of Commerce. NVLAP standards for accreditation of laboratories that test for compliance with standards for lamp efficacy and CRI are given in 15 CFR part 285 as supplemented by *NVLAP Handbook 150-01*, "Energy Efficient Lighting Products, Lamps and Luminaires." A manufacturer's or importer's own laboratory, if accredited, may conduct the applicable testing.

[62 FR 29240, May 29, 1997]

§ 430.27 Petitions for waiver and applications for interim waiver.

(a)(1) Any interested person may submit a petition to waive for a particular basic model any requirements of § 430.23, or of any appendix to this subpart, upon the grounds that the basic model contains one or more design characteristics which either prevent testing of the basic model according to the prescribed test procedures, or the prescribed test procedures may evaluate the basic model in a manner so unrepresentative of its true energy consumption characteristics, or water consumption characteristics (in the case of

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faucets, showerheads, water closets, and urinals) as to provide materially inaccurate comparative data.

(2) Any interested person who has submitted a Petition for Waiver as provided in this subpart may also file an Application for Interim Waiver of the applicable test procedure requirements.

(b)(1) A Petition for Waiver shall be submitted, in triplicate, to the Assistant Secretary for Conservation and Renewable Energy, United States Department of Energy. Each Petition for Waiver shall:

(i) Identify the particular basic model(s) for which a waiver is requested, the design characteristic(s) constituting the grounds for the petition, and the specific requirements sought to be waived and shall discuss in detail the need for the requested waiver;

(ii) Identify manufacturers of all other basic models marketed in the United States and known to the petitioner to incorporate similar design characteristic(s);

(iii) Include any alternate test procedures known to the petitioner to evaluate in a manner representative of the energy consumption characteristics, or water consumption characteristics (in the case of faucets, showerheads, water closets, and urinals) of the basic model; and

(iv) Be signed by the petitioner or by an authorized representative. In accordance with the provisions set forth in 10 CFR 1004.11, any request for confidential treatment of any information contained in a Petition for Waiver or in supporting documentation must be accompanied by a copy of the petition, application or supporting documentation from which the information claimed to be confidential has been deleted. DOE shall publish in the FEDERAL REGISTER the petition and supporting documents from which confidential information, as determined by DOE, has been deleted in accordance with 10 CFR 1004.11 and shall solicit comments, data and information with respect to the determination of the petition. Any person submitting written comments to DOE with the respect to a Petition for Waiver shall also send a